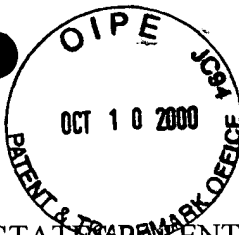


S/N 09/606,896



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: RODRIGUES ET AL. Examiner: UNKNOWN  
Serial No.: 09/606,896 Group Art Unit: UNKNOWN  
Filed: JUNE 29, 2000 Docket No.: MS#154645.1/40062.69US03  
Title: PERFORMANCE MARKERS TO MEASURE BENCHMARK TIMING OF A  
PLURALITY OF STANDARD FEATURES IN AN APPLICATION  
PROGRAM

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 5, 2000.

By: Yvonne Johnson  
Lisa Johnson

**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not

represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P. O. Box 2903  
Minneapolis, MN 55402-2903  
Telephone: 612.332.5300

Dated: 5 Oct 2000

By: 

Richard J. Gregson  
Reg. No. 41/804  
RG:PSTmel